

exhibit: 6

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Agreement ("Agreement") is made and entered into this 28 day of June, 2016, by and between, James L. Spuhler, Trustee of the Doris E. Lackman Trust and the Elwin and Doris Lackman Foundation, and Executor for the Estate of Doris E. Lackman (hereinafter "Spuhler" or the "Lackman Estate"), and Gary Folliett and Eileen Fern-Folliett, ("Defendants") and are sometimes collectively referred to herein as the "Parties".

RECITALS:

WHEREAS, on January 17, 2014, James L. Spuhler, as Trustee and Executor, filed a Complaint against Gary Folliett and Eileen Fern-Folliett, among others, in the Cuyahoga County Court of Common Pleas, Probate Division in the case captioned "*James L. Spuhler, Trustee and Executor v. Eileen Fern-Folliett, et al.*," Adversary Case No. 2014 ADV 195167, Related Case No. 2013 EST 183443 (the "Litigation"); and

WHEREAS, the Parties desire to resolve their differences and settle the claims asserted in the Litigation by entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual promises made in this Agreement and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, it is agreed by and among the Parties as follows:

1. **Probate Approval.** The Parties acknowledge that the settlement contemplated herein is contingent upon entry of an Order by the Probate Court approving this settlement in all material respects. Thus, upon execution of this Agreement, Spuhler shall take all necessary steps to obtain approval of the Probate Court. The Probate Court shall retain jurisdiction to enforce the settlement contemplated herein.
2. **Notice of Satisfaction to Federal Court.** The Parties acknowledge upon approval of the settlement by the Probate Court, the Lackman Estate shall submit a Notice of Satisfaction of Judgment with the District Court for the Northern District of Ohio in the case captioned "*United States of America v. Eileen Fern-Folliett*", case number 1:13-cr-00293 (the "Federal Proceeding"); in accordance with Order by the court for Restitution dated September 25, 2013, Docket Number 19, ("Restitution Order") noticing that the Estate has been made whole. Upon 90 days after the Notice of Satisfaction has been filed, the Lackman Estate shall submit a final accounting to the Probate Court, providing a complete listing of all monies received by the Lackman Estate as required by statute. Thereafter, counsel for Eileen Fern-Folliett shall prepare a motion to vacate the federal restitution order. If necessary, the Estate agrees to have a representative appear in the federal proceedings to testify or otherwise promote the issuance of an order by the Federal Court to vacate or satisfy the restitution order.